



NORTH AMERICA SOUTH AMERICA EUROPE ASIA

1901 L Street, N.W.
Washington, D.C. 20036
+1 202-282-5000
+1 202-282-5100

ABBE DAVID LOWELL
Partner
202-282-5000

May 26, 2024

VIA E-MAIL

Leo J. Wise, Esq.
Derek E. Hines, Esq.
Special Assistant United States Attorneys
Office of the Special Counsel
1313 North Market Street
Wilmington, DE 19801

Re: United States v. Robert Hunter Biden, No. 23-cr-00061-MN (D. Del.)

Dear Counsel:

We write to follow up on our May 17, 2024 and May 21, 2024 expert disclosure notices. As stated in our previous letters, this disclosure is not intended to, and expressly does not, concede the relevance or admissibility of the government's proffered expert testimony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Abbe David Lowell".

Abbe David Lowell

cc: Christopher D. Man, Esq.
Bartholomew Dalton, Esq.
David Kolansky, Esq.

I. Opinions, Bases, and Reasons

Pursuant to defendant's obligations under Federal Rule of Criminal Procedure 16(b), the following is a complete statement of all opinions Mr. Biden intends to elicit from Michael J. Coyer in his case in chief and the bases and reasons for them. Dr. Coyer may offer testimony in response to government experts, including FBI Forensic Examiner Jason D. Brewer.

Based on his education, experience in over 30 years of work, training, and review of FBI-Chemist Jason Brewer's report, Dr. Coyer, Ph.D., F-ABFT, is expected to testify concerning the following: (a) generally accepted laboratory methods for forensically testing cocaine; (b) the ability to date or age cocaine samples; (c) reliability, durability, and chemical composition of cocaine evidence; and (d) sample integrity considerations in general chemistry testing and forensic use of drug analysis reports. Mr. Coyer has reviewed and will rely on the lab reports, interview memos, covering memos provided by the government in discovery in this case.

Dr. Coyer is expected to offer the following opinions:

- There is no forensic method available to date or age cocaine samples.
- The sample integrity of the brown colored pouch submitted for laboratory testing is compromised, rendering the outcome of any laboratory analysis after the fact inconclusive.
- The analysis conducted by FBI-Chemist Jason Brewer followed generally acceptable methods for laboratory analysis.
- Without knowing who was in contact with an item that had drug residue, how long it had been in various peoples' possession, and how it was kept for periods of time, it is not possible to determine who used or left the residue.
- Routinely conducted tests can determine if a sample is powder or crack cocaine.
- Additional commonly conducted laboratory analyses, including for the existence of fingerprints and DNA.

II. Qualifications and Cases

Dr. Coyer's qualifications and publications for the previous ten years are contained in his curriculum vitae, previously produced on May 17, 2024. To the best of Dr. Coyer's recollection, his testimony as an expert at trial or by deposition is identified in his forensic testimony case log, also previously produced on May 21, 2024. We reattach both documents here for ease of reference.

Dated: May 26, 2024

Approved By:


Dr. Michael Coyer

Curriculum Vitae

Michael J. Coyer, Ph.D., F-ABFT

[REDACTED]
Madison Twp., PA, 18444

Ph. [REDACTED]

Cell [REDACTED]

Email: [REDACTED]

1964 Born 22 March, 1964, Dunmore, PA

Education:

1982-1986 B.S. in Chemistry, Minor in Philosophy,
Special Jesuit Liberal Arts Honor Student
Who's Who Among College Students
Phi Lambda Upsilon Chemical National Honor Society
University of Scranton, Scranton, PA

1986-1988 Graduate Studies/Teaching Assistant, Chemistry
Sigma Xi Chemical National Honor Society
University of Oklahoma, Norman, OK
Director: Jerry J. Zuckerman, Ph.D.

1988-1991 J.R.L. Morgan Fellow, Department of Chemistry
Teaching Assistant (Organic/Analytical Chemistry)
Rutgers - The State University of New Jersey,
New Brunswick, NJ

1991 Ph.D. - Inorganic/Physical Chemistry,
Rutgers - The State University of New Jersey,
New Brunswick, NJ
Director: Rolfe Herber, Ph.D.

Experience:

2012-Present New York State CLEP Laboratory Director
NY Certificate CQ ID#: COYEM1

2012-Present DRUGSCAN, Inc., An ACM Global Laboratory, *Horsham, PA*
Retained as an expert in Forensic Toxicology/ Pharmacology for
the City of Philadelphia. Responsibilities include reviewing all
toxicology reports and court supporting testimony whenever
necessary.

2012-Present	Labcorp, <i>Raritan, NJ</i> -- Retained as an Associate Director of Toxicology for the Occupational Testing Service (OTS). Responsibilities include reviewing all standard operating procedures, method validations and proficiency testing.
2011-Present	Laboratory Research Director, <i>Princeton Analytical (ID #35-04831), Dunmore, PA.</i> Responsibilities include supervision of all testing and quality control measures involved in the environmental analysis and reporting of various types of water samples.
2005-Present	Laboratory Research Director, <i>Northern Tier Research (CLIA ID# 39D1050690), Dunmore, PA.</i> Responsibilities include daily operations and supervision of all aspects, technical research, and development. Oversee general clinical and forensic laboratory analysis and reporting.
2003-2005	Technical Director/ Operations Manager, <i>Clinical Laboratories, Inc. A Labcorp Company, Throop, PA.</i> Responsibilities include daily operations and supervision of all aspects, technical and managerial, of the full clinical testing laboratory and forensic toxicology laboratory facility.
1999-2003	Toxicology Supervisor, <i>Clinical Laboratories, Inc., A Labcorp Company, Throop, PA.</i> Responsibilities included overseeing forensic/toxicological/ environmental toxicology laboratory procedures, training, and quality assurance.
1996-Present	Laboratory Director, <i>PPL Susquehanna Nuclear Power Plant, Berwick, PA.</i> Responsibilities included overseeing forensic drug testing laboratory at nuclear power plant site. Implement Nuclear Regulatory Commission (NRC) guidelines specified in 10 CFR 26 Federal Regulations.
2002-Present	Member – Society of Forensic Toxicology (SOFT).
2015-Present	Member – American Association of Clinical Chemistry (AACC).
2002-Present	Certified by <i>The American Board of Forensic Toxicology</i> , for <i>Fellow</i> status - Certification # 1068, October, 2002. Currently re-certified through 2027.
1996-2000	Science Department, <i>Marywood College, Scranton, PA.</i> Adjunct Faculty <i>Courses taught in:</i> -Forensic Science/Philosophy -Environmental Monitoring -Senior Advisor for seminar projects.
2000-2005	<i>College of American Pathologist</i> laboratory site inspector.

1993-1999	Director, <i>Sierra Analytical Laboratories, Dunmore, PA.</i> Responsibilities included overseeing forensic/toxicological/ environmental laboratory procedures, training, and quality assurance as well as daily financial and managerial operations.
1992-1993	Director, <i>TOXI-CON Laboratory, Scranton, PA.</i> Responsibilities included overseeing forensic/toxicological laboratory procedures, training, and quality assurance.

*Michael J. Coyer, Ph.D., F-ABFT
American Board of Forensic Toxicology- Fellow*


Madison Twp., PA 18444

REPRESENTATIVE CASES 2018-2024:

*2018- LACKAWANNA COUNTY, PA (FEDERAL COURT)
ATTY. MICHELE OLSHEFSKI
TRIAL: UNITED STATES V. HOLLY KASZUBA*

*2018- LACKAWANNA COUNTY, PA
ATTY. MALCOM MACGREGOR
DEPOSITION: COLE DUFTON V. CAMP MORASHA*

*2019- LACKAWANNA COUNTY, PA (FEDERAL COURT)
ATTY. MICHELE OLSHEFSKI
TRIAL: UNITED STATES V. ROUGHT*

*2020- LACKAWANNA COUNTY, PA (FEDERAL COURT)
ATTY. MICHELE OLSHEFSKI
TRIAL: UNITED STATES V. INGINO*

*2020- CHESTER COUNTY, PA
ATTY. KEVIN PIERCE/ ATTY. VINCE COCCO
TRIAL: COMMONWEALTH V. RICKY LOWE*

*2021- PIKE COUNTY, PA
ATTY. SARAH WILSON
TRIAL: COMMONWEALTH V. ANDREW DOUGAN*

*2021- LUZERNE COUNTY, PA
ATTY. DREW MCGLAUGHLIN/ TOM HOGANS
TRIAL: COMMONWEALTH V. JOSHUA LEWIS*

*2023-LUZERNE COUNTY, PA
ATTY. ANTHONY ROSS
COMMONWEALTH V. TRAVINSKI*

*2024- BURLINGTON, VT (FEDERAL COURT)
ATTY. THOMAS AICHER/ ATTY. NASRULLAH HABIB
TRIAL: GRAJEDA V. VAIL RESORTS*

*2024- MONROE COUNTY, PA
ATTY. MICHAEL MANCUSO
TRIAL: COMMONWEALTH V. TYRONE JOHNSON*

I HAVE HAD NO PUBLICATIONS IN THE PAST TEN (10) YEARS.